

No. 2022-7342

**Official Order
of the
Texas Commissioner of Insurance**

Date: 06/16/2022

Subject Considered:

Pamela Yvette Gordon
[REDACTED]
Houston, Texas 77026

Default Order
SOAH Docket No. 454-22-2572
TDI Enforcement File No. 23044

General remarks and official action taken:

The subject of this default order is whether a general lines agent license with a life, accident and health qualification should be issued to Pamela Yvette Gordon (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance. This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Hearing

1. On May 2, 2022, the department filed a Notice of Hearing, attached as Exhibit A, and an Original Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. The department's factual allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order as findings of fact.
3. The department sent the Notice of Hearing and Original Petition to Respondent's last known address provided in writing to the department, [REDACTED],

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Commissioner's Order

Pamela Yvette Gordon

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Houston, Texas 77026. The Notice of Hearing and Original Petition were also sent by electronic mail.

4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Original Petition were mailed.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4054.051, and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. The department provided proper notice of the hearing under TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
4. Based on Respondent's failure to file a written response to the Notice of Hearing, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.89.

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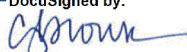
Commissioner's Order

Pamela Yvette Gordon

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Order

It is ordered that Pamela Yvette Gordon's application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:

FC5D7EDDFB4F8...

Cassie Brown

Commissioner of Insurance

Prepared and reviewed by:



Sarah White, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned authority, personally appeared David Moreno, who, being by me duly sworn, deposed as follows:

"My name is David Moreno and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Pamela Yvette Gordon. I have confirmed that:

- a. The last mailing address provided to the department in writing by Pamela Yvette Gordon is [REDACTED], Houston, Texas 77026.
- b. The file maintained by Enforcement contains a Notice of Hearing dated May 2, 2022, and Original Petition dated April 29, 2022, which were both filed on May 2, 2022, with the State Office of Administrative Hearings.
- c. On May 2, 2022, the Notice of Hearing and Original Petition addressed to Pamela Yvette Gordon were mailed first-class and certified, return receipt requested, to her last known address.

Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit C and Exhibit D, respectively."

DocuSigned by:

 1419A521BDBC4B2... _____

Affiant

2022-7342

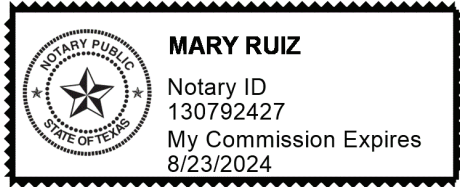
Commissioner's Order

Pamela Yvette Gordon

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 5/31/2022. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
Mary Ruiz
795DC4D59167489...

Notary Public State of Texas

2022-7342

FILED
454-22-2572
5/2/2022 9:26 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

**SOAH DOCKET NO. 454-22-2572
TDI ENFORCEMENT FILE NO. 23044**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

PAMELA YVETTE GORDON,

Respondent

BEFORE THE STATE OFFICE

ACCEPTED
454-22-2572
5/2/2022 9:32:22 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

OF

ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

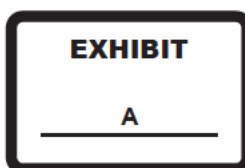
The Texas Department of Insurance seeks to deny your license application. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, October 25, 2022, at 9:00 a.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.

YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.



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IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.

IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) *(by mail, fax, or electronically)*
Docketing Division
State Office of Administrative Hearings
300 West 15th Street, Room 504
P.O. Box 13025
Austin, Texas 78711-3025
(512) 322-2061 (Fax);
www.soah.texas.gov/e-filing-soah
- (2) *(by mail, fax, or email)*
Chief Clerk
Texas Department of Insurance
P.O. Box 12030, MC GC-CCO
Austin, Texas 78711-2030
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and
- (3) *(by mail, fax, or email)*
Sarah White, Staff Attorney
Texas Department of Insurance
Enforcement Division, MC ENF

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Sarah.white@tdi.texas.gov

Receiving Documents Electronically and Filing Documents with SOAH

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: www.soah.texas.gov.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. You may file documents with SOAH by mail, fax, or electronically. To file electronically, you must use eFileTexas. Instructions on using eFileTexas are on SOAH's website. SOAH's website also includes guidance for representing yourself.

Important Security Notice (for In-Person Hearings ONLY)

ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.

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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



Sarah White
State Bar No. 24064622
Texas Department of Insurance
Enforcement Division, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6354 (Direct)
(512) 490-1020 (Fax)
Sarah.White@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC ENF
Rachel Cloyd, Litigation Director, Enforcement Division, MC ENF
Administrative Review, MC CO-AAL

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CERTIFICATE OF SERVICE

I, Sarah White, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by regular, first-class mail, by certified mail, return receipt requested, and by email on this 2nd day of May, 2022 to:

Pamela Yvette Gordon

[REDACTED]

Houston, Texas 77026

Respondent Pro Se

Via CM/RRR No.: 9214 8901 9403 8374 9066 96

Via First Class Mail

Via Email: [REDACTED]



Sarah White

2022-7342

FILED
454-22-2572
4/29/2022 11:55 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

SOAH DOCKET NO. 454-22-2572
TDI ENFORCEMENT FILE NO. 23044

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

ACCEPTED
454-22-2572
4/29/2022 11:43:23 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Carol Hale, CLERK

v.

OF

PAMELA YVETTE GORDON,

ADMINISTRATIVE HEARINGS

Respondent

ORIGINAL PETITION

The Texas Department of Insurance seeks to deny Pamela Yvette Gordon’s license application. In support of this petition, the department makes the following allegations upon information and belief:

Jurisdiction

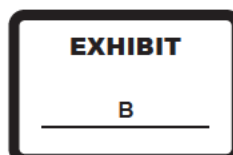
The Commissioner of Insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, and 4054.051, and TEX. GOV’T CODE §§ 2001.051-2001.178.

Factual Allegations

1. On August 30, 2019, Pamela Yvette Gordon (Gordon) applied to the Texas Department of Insurance (the department) for a general lines agent license with a life, accident, and health qualification.
2. On October 10, 2019, the department proposed to deny Gordon’s application because she may have committed an act for which a license may be denied under TEX. INS. CODE § 4005.101. Gordon appealed that decision and made a written request for a hearing.

2010 State Bar of Georgia Disbarment

3. Prior to 2010, Gordon was licensed as a Georgia attorney at law. On September 20, 2010, the State Bar of Georgia disbarred Gordon for theft of her client’s funds.



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4. Specifically, Gordon settled a case for her client's car accident with the driver's insurance company for \$26,000.
5. After the insurance company delivered the monies to Gordon, she failed to deposit them into her attorney trust account.
6. Instead, Gordon kept \$7,540 as her contingency fee, paid the client \$7,000 by personal check, and informed her client that she had reserved the remaining monies to pay for outstanding medical bills.
7. Gordon then paid another \$2,973 to her client, but without her client knowing, failed to pay any of the client's medical bills with the remaining \$8,487, which she kept or withheld for her own use.

Multiple Past Suspensions and Current Suspension by the State Bar of Texas

8. Gordon was licensed as a Texas attorney in May 2000. Since then, the State Bar of Texas has suspended Gordon multiple times for varied reasons.
9. The State Bar of Texas suspended Gordon multiple times for failing to timely pay her dues. After submission of the dues, she was subsequently reinstated following payment on the following dates:
 - a. suspended on September 1, 2005, and reinstated on September 11, 2005;
 - b. suspended on September 1, 2006, and reinstated on August 13, 2007;
 - c. suspended on September 1, 2008, and reinstated on February 10, 2009; and
 - d. suspended on September 1, 2009, and reinstated on September 29, 2009.
10. The State Bar of Texas suspended Gordon for failing to pay Texas Occupation Tax and/or associated penalties or interest and reinstated her following payment on the following dates:
 - a. suspended on September 1, 2004, and reinstated on October 19, 2004; and
 - b. suspended on September 1, 2009, and reinstated on September 30, 2009.

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11. The State Bar of Texas also suspended Gordon for failing to comply with the minimum continuing legal education (CLE) requirements on February 28, 2006, and reinstated her on April 30, 2006.
12. Most recently, the State Bar of Texas suspended Gordon on February 28, 2010, for failing to comply with the minimum CLE requirements. She presently remains suspended and unauthorized to practice law in the state of Texas.

2019 Termination from The Hartford

13. The Hartford (Hartford) hired Gordon as an associate sales representative, on October 14, 2019.
14. After hiring Gordon, Hartford investigated her.
15. Hartford's investigation found that Gordon took intentional steps to avoid disclosing in her resume, employment application, Universal Licensing Application, and in initial interviews that she was ever an attorney, both disbarred by the Georgia Bar and suspended by the Texas Bar.
16. Hartford found that prior to her hiring, Gordon failed to inform Hartford that the department proposed to deny her license application.
17. On November 18, 2019, Hartford terminated Gordon due to her deception and omissions during the hiring process, and because Hartford determined that she is not licensable and would not be able to perform the required duties of the position.

California Civil Litigation

Unpaid 2010 California Judgment: No. MSL09-11018¹

18. In February 2009, R.W. Lynch Co., Inc. (R.W. Lynch) entered into an agreement to provide group advertising services for Gordon, individually, and McAllister Law Firm, P.C. (McAllister Law Firm) for R.W. Lynch. Gordon and McAllister Law Firm agreed to pay R.W. Lynch \$3,000 down and 11 installments of \$3,000, on the 15th of each month for the services.

¹ In the Matter of the Arbitration Between R.W. Lynch Co., Inc v. Pamela Y. Gordon, individually, and McAllister Law Firm.

19. Later, the parties submitted an issue to arbitration to determine whether R.W. Lynch was entitled to recover amounts it was allegedly due under the agreement, plus arbitration fees and expenses, and attorney's fees.
20. On September 10, 2009, the arbitrator entered an Award of Arbitration (Award), ordering Gordon, individually, and McAllister Law Firm to pay a total of \$9,018.56 plus post award interest² to R.W. Lynch.
21. On November 10, 2009, R.W. Lynch filed a Petition to Confirm Arbitration Award and For Entry of Judgment, including interest and attorney's fees, against Gordon, individually, and McAllister Law Firm in cause no. L09-11018 in the Superior Court of the State of California for the County of Contra Costa.
22. On September 1, 2010, the court entered a civil judgment against Gordon and ordered her to pay \$11,515.54³ to R.W. Lynch.
23. Upon information and belief, this judgment remains unpaid and outstanding because the judgment has not been released.
24. Gordon's failure to pay the civil judgment constitutes dishonesty.

Civil Litigation in Fulton County, Georgia Civil

Unpaid 2007 Georgia Consent Judgment: Civil Action No. 07VS111441Y⁴

25. On April 10, 2007, the State Court of Fulton County, Georgia, entered a consent order against Gordon in civil action no. 07VS111441Y for failing to pay rent on her lease agreement with the plaintiffs.
26. In the consent order, Gordon agreed to pay the plaintiffs \$11,995, specifically, Gordon agreed to pay:

² This Award total included the principal sum of \$6,000; \$235.56 pre-award interest; \$1,800 for arbitration fees, expenses, and compensation for the arbitrator, and \$925 in attorney's fees.

³ This judgment included the total arbitration cost of \$9,018.56; \$276.64 in interest on the award from September 10, 2009 – December 31, 2009; \$565.63 in interest on the award for January 1, 2010 – August, 19, 2010; and \$1,107.71 in attorney's fees.

⁴ APG Brookwood, LLC, CEG2 Peachtree Holdings, LLC, TEI Peachtree Holdings, LLC, HORT Peachtree Holdings, LLC, and LIC Peachtree Holdings, LLC v. Pamela Y. Gordon.

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- a. \$500 by March 30, 2007;
 - b. \$500 by April 6, 2007;
 - c. \$2,700 by April 21, 2007; and
 - d. \$8,295 in 15 payments of \$533, due on the first day of each successive month, beginning on May 1, 2007, and continuing through July 1, 2008.
27. Gordon failed to make the required payments and therefore defaulted on the terms of the consent order.
28. On June 7, 2007, the court entered a final judgment against Gordon and ordered her to pay the following:
- a. the principal sum of \$20,340.18;
 - b. attorney fees in the amount of \$2,159.02;
 - c. court costs in the amount of \$117.50; and
 - d. interest at the legal rate.
29. The court also ordered that a Writ of Fieri Facias (FiFa) be immediately issued against Gordon.
30. Upon information and belief, this judgment remains unpaid and outstanding because the judgment has not been released.
31. Gordon's failure to pay the civil judgment constitutes dishonesty.
- Unpaid 2011 Georgia Judgment: Case No. 07-EV-003456D⁵
and Failure to Fully Disclose it to the Department*
32. On October 24, 2008, plaintiff Pamela Barnett (Barnett) filed a First Amended Complaint against Gordon and other named defendants in the State Court of Fulton County, Georgia, case no. 07-EV-003456D, seeking monetary damages for fraud, negligent misrepresentation, breach of contract, conspiracy to defraud, breach of fiduciary duty and bad faith with respect to a real estate transaction.

⁵ Pamela Barnett v. American Freedom Lending LLC, Katherine Jennings, Brint Associates, Johnny W. Brint, and Pamela Gordon.

33. Specifically, Barnett's lawsuit alleged the following:
 - a. Gordon committed fraud by artificially inflating the value of the property, charging excessive fees, withholding information regarding the property, and obtaining secret profits with other parties;
 - b. Gordon signed contracts on behalf of Barnett to allow disbursement of illegal proceeds of the fraudulent real estate flip;
 - c. Gordon's conduct constituted fraud, willful misconduct, malice, wantonness, and that the entire want of care which would raise the presumption of conscious indifference to the consequences by Gordon;
 - d. Gordon, in the course of the fraud, breached an unspecified contract for the sale of the property by selling property materially inferior to the property promised in the contract; and
 - e. Gordon made misrepresentations with respect to the qualifications of the appraiser of the property, the value of the property, the profits made from the property, and regarding the entire transaction in general.
34. On November 14, 2011, the Fulton County State Court entered a default judgment against Gordon and the other named defendants after they failed to appear at the hearing.
35. The judgment awarded Barnett \$101,777, plus \$9,650 in attorney's fees.
36. As of April 29, 2017, Barnett had not received any money in satisfaction of the ordered judgment amount.
37. Upon information and belief, the judgment remains unpaid and outstanding.
38. Question No. 7 in the department's licensing application required that she disclose whether she is currently or was ever previously found liable in, any lawsuit, arbitrations, or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty. Gordon answered "yes".
39. By answering "yes" to question No. 7, Gordon was required to attach the following items to her license application:
 - a. a written statement summarizing the details of each incident;

- b. a copy of the petition, complaint, or other document that commenced the lawsuit or arbitration, or mediation proceedings; and
 - c. a copy of the official documents, which demonstrates the resolution of the charges or any final judgment.
40. In her correspondence to the department's Licensing Division, Gordon stated she was "the victim of a real estate scam" and further contended that a forensic examination of her records shows that she wired funds in a real estate transaction that far exceeded what was supposed to be sent. Gordon further claimed that the real person behind the fraud was never found, and she was left with the responsibility.
41. Gordon was misleading and deceptive with this vague explanation to the department and omitted material information. By not expressly disclosing this Georgia judgment and failing to provide these required items to the department, she was not transparent or truthful to the department in her license application.

*2009 Georgia Declaratory Judgment: Civil Action File No. 2008CV161599⁶
and Failure to Fully Disclose it to the Department*

42. During the course of the above litigation brought by Barnett against Gordon, Minnesota Lawyers Mutual Insurance Company (MLM) filed a Complaint for Declaratory Judgment against Gordon and Barnett on December 16, 2008, in the Superior Court of Fulton County, Georgia, in civil action file no. 2008CV161599.
43. MLM sought a declaratory judgment holding that MLM is not obligated to provide liability coverage or a defense for Gordon in the suit brought against her by Barnett, because of Gordon's material misrepresentations.
44. MLM had issued a lawyers professional liability insurance policy (the MLM Policy) to Gordon for the period of June 6, 2006, through June 6, 2007. The MLM Policy excluded coverage for claims for damages arising out of dishonest, criminal, malicious, or deliberately fraudulent acts, errors, or omissions of the insured.
45. On March 20, 2009, the court granted MLM's motion for default judgment and held that:

⁶ Minnesota Lawyers Mutual Insurance Company v. Pamela Y. Gordon and Pamela Barnett.

- a. when Gordon applied for the MLM policy, she intentionally did not disclose her involvement in real estate transactions that had resulted in at least three Georgia State Bar complaints against her;
 - b. on July 10, 2006, Gordon submitted a request to issue the MLM policy and falsely certified that there were no claims or circumstances that could reasonably result in any claims or disciplinary actions that had not previously been on reported to MLM;
 - c. Gordon's false representations to MLM in obtaining the MLM policy were material to MLM's decision to insure Gordon;
 - d. Gordon's misrepresentations in applying for the MLM policy and in the performance of her obligations under the MLM policy, caused MLM to act to its detriment;
 - e. MLM is not obligated to provide a defense or indemnity to Gordon under the MLM policy based on Gordon's misrepresentations; and
 - f. the MLM policy is void from its inception, based on Gordon's material misrepresentations.
46. Question No. 7 in the department's licensing application required that she disclose whether she is currently or was ever previously found liable in, any lawsuit, arbitrations, or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty. Gordon answered "yes".
47. By answering "yes" to question No. 7, Gordon was required to attach the following items to her license application:
- a. a written statement summarizing the details of each incident;
 - b. a copy of the petition, complaint, or other document that commenced the lawsuit or arbitration, or mediation proceedings; and
 - c. a copy of the official documents, which demonstrates the resolution of the charges or any final judgment.

48. In her correspondence to the department's Licensing Division, Gordon stated that when she started in the real estate business, she obtained Errors and Omissions insurance coverage, which required her to have a mentor. She represented to her Errors and Omissions insurance company that she had a mentor, when in reality she did not. Due to her false representations about a mentor, MLM voided Gordon's insurance policy.
49. Gordon was misleading and deceptive with this vague explanation to the department and omitted material information. By not expressly disclosing this Georgia judgment and failing to provide these required items to the department in her license application, she was not transparent or truthful to the department in her license application.

*Unpaid 2010 Georgia Consent Judgment: Civil Action File No. 2010CV183761⁷
and Failure to Fully Disclose it to the Department*

50. On July 13, 2010, in civil action file no. 2010CV183761, the Superior Court of Fulton County, Georgia, entered a Consent Final Judgment against Gordon and found her liable to her former client Michael Bryant (Bryant) for \$25,000, plus all costs incurred in the action.
51. The parties agreed and the court found that Gordon's acts and omissions involved intentional and malicious tortious conduct.
52. Specifically, Gordon signed the Consent Final Judgment, admitting to the court's findings that while acting as counsel for Bryant, Gordon:
- a. settled Bryant's case with an insurance company, without his knowledge;
 - b. forged Bryant's name on a settlement check and release documents;
 - c. deposited the settlement check into her own account; and
 - d. subsequently converted the settlement funds to her own use.
53. Prior to this civil action, Gordon admitted her misconduct to Bryant and entered into a written settlement agreement which required Gordon to pay Bryant \$20,000 within 90 days. However, Gordon's first payment was returned for insufficient

⁷ Michael Bryant v. Pamela Gordon.

funds and Gordon had actually paid only \$1,000 of the total owed. As a result of her failure to comply with the settlement agreement, Bryant sued Gordon.

54. After the consent judgment was entered, on October 22, 2014, Bryant filed an Affidavit of Filing Foreign Judgment Pursuant to the Uniform Enforcement of Foreign Judgments Act in the judicial district court of Harris County, Texas, asserting that Gordon had failed to satisfy the \$25,000 judgment.
55. Upon information and belief, this judgment remains unpaid and outstanding because the judgment has not been released.
56. Question No. 7 in the department's licensing application required that she disclose whether she is currently or was ever previously found liable in, any lawsuit, arbitrations, or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty. Gordon answered "yes".
57. By answering "yes" to question No. 7, Gordon was required to attach the following items to her license application:
 - a. a written statement summarizing the details of each incident;
 - b. a copy of the petition, complaint, or other document that commenced the lawsuit or arbitration, or mediation proceedings; and
 - c. a copy of the official documents, which demonstrates the resolution of the charges or any final judgment.
58. Gordon was misleading and deceptive to the department by omitting this information from her license application. By not expressly disclosing this Georgia judgment or providing these required items to the department, she was not transparent or truthful to the department in her license application.

Unpaid 2011 Georgia Consent Judgment: Civil Action File No. 2007CV131053⁸

59. On May 19, 2011, the Superior Court of Fulton County, Georgia, entered a Consent Judgment against Gordon in civil action file no. 2007CV131053 for failing to pay

⁸ Courtney Harris v. Pamela Gordon and Minnesota Lawyers Mutual Insurance Company.

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off Courtney Harris' (Harris) mortgage loan on a piece of property, after receiving monies to do so.

60. The court found that while Gordon was the closing attorney and settlement agent for the sale of property to Harris, she failed to pay off Harris' loan to the mortgage company despite collecting funds to do so.
61. The court also found that Harris had incurred \$50,000 in legal fees and expenses concerning this matter.
62. Due to Gordon's conversion and fraud, the court found Gordon liable to Harris for \$270,000.
63. The parties agreed to a repayment plan in the Consent Judgment, with the last payment due on December 31, 2014.
64. On July 9, 2012, the court issued a Writ of Fieri Facia (FiFa) against Gordon.
65. Upon information and belief, this judgment remains unpaid and outstanding because the judgment has not been released.
66. Question No. 7 in the department's licensing application required that she disclose whether she is currently or was ever previously found liable in, any lawsuit, arbitrations, or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty. Gordon answered "yes".
67. By answering "yes" to question No. 7, Gordon was required to attach the following items to her license application:
 - a. a written statement summarizing the details of each incident;
 - b. a copy of the petition, complaint, or other document that commenced the lawsuit or arbitration, or mediation proceedings; and
 - c. a copy of the official documents, which demonstrates the resolution of the charges or any final judgment.
68. Gordon was misleading and deceptive to the department by omitting this information from her license application. By not expressly disclosing this Georgia

judgment or providing these required items to the department, she was not transparent or truthful to the department in her license application.

Inability to Handle Money and Act as a Responsible Fiduciary

69. Gordon has demonstrated that she is not presently fit for licensure due to her above dishonest acts demonstrating a lack of ability to handle money properly and to responsibly act as a fiduciary for herself, her clients, and other parties. Moreover, the below additional dishonest acts also show this.

Failure to Pay Court Reporting Fees

70. On August 6, 2009, Premier Reporting filed a Statement of Claim with the Magistrate Court of Fulton County, Georgia, asserting that Gordon failed to pay court reporting fees, totaling \$1,268.70. Upon information and belief, this remains unpaid and outstanding because it has not been released.

Tax Liens and False Statement in Department Application

71. On February 9, 2010, the Internal Revenue Service (IRS), filed a Notice of Federal Tax Lien against Gordon with the clerk of the Superior Court of Fulton County Georgia, in the amount of \$110,046.97 for unpaid taxes in 2004 through 2006.
72. On November 15, 2010, the State Revenue Commissioner of Georgia filed a State Tax Execution against Gordon for delinquent tax liabilities, plus interest, penalties, and collection fees, totaling \$23,071.38, for the 2005 and 2006 tax period.
73. On April 18, 2017, the IRS filed a Notice of Federal Tax Lien against Gordon with the county clerk of Harris County, Texas, in the amount of \$131,817.94 for unpaid taxes in 2005 through 2008, 2010, and 2014.
74. Upon information and belief, these tax liens remain unpaid and outstanding because they have not been released.
75. Question No. 6 in the department's licensing application required that she disclose whether she has ever been notified by any jurisdiction to which she is applying of any delinquent tax obligation that is not the subject of a repayment agreement. Gordon answered "no."

76. By answering "no" to question No. 6, Gordon was misleading and deceptive to the department by omitting this information and failing to identify her Texas tax lien in her license application.

Legal Allegations

1. Gordon committed numerous acts for which a license may be denied under TEX. INS. CODE § 4005.101.
2. Gordon intentionally made multiple material misstatements in her license application, as contemplated by TEX. INS. CODE § 4005.101(b)(2).
3. Gordon has attempted to obtain a license by fraud or misrepresentation, as contemplated by TEX. INS. CODE § 4005.101(b)(3).
4. Gordon misappropriated, converted to her own use, or illegally withheld money belonging to an insured, specifically Michael Bryant, as contemplated by TEX. INS. CODE § 4005.101(b)(4).
5. Gordon has engaged in numerous fraudulent or dishonest acts or practices as contemplated by TEX. INS. CODE § 4005.101(b)(5).

Relief Sought

If one or more of the above allegations is found to be true, the department asks the Administrative Law Judge to enter a Proposal for Decision recommending that the Commissioner of Insurance issue an order:

1. denying Pamela Yvette Gordon's license application; and
2. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,



2022-7342

Original Petition
Pamela Yvette Gordon
Page 14 of 14

Sarah White
State Bar No. 24064622
Texas Department of Insurance
Enforcement Division, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6354 (Direct)
(512) 490-1020 (Fax)
Sarah.white@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code 110-1A
 333 Guadalupe St
 Austin TX 78701
Mary Ruiz
 May 2, 2022

Check type of mail or service

<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Priority Mail	

Firm Mailing Book For Accountable Mail

Affix Stamp Here
 (if issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
WHITE/23044	PAMELA YVETTE GORDON [REDACTED] HOUSTON, TEXAS 77026	1.56		000 in value										
				Handling Charge										
								Adult Signature Required	Adult Signature Restricted Delivery	Restricted Delivery	Return Receipt	Signature Confirmation	Signature Confirmation Restricted Delivery	Special Handling

RECEIVED
 MAY 03 2022
 TDI - ENFORCEMENT

GMP WINDOW
 MAY - 2 2022
 AUSTIN TX 78710

neopost
 05/02/2022
US POSTAGE \$001.65⁰⁰
 OFFICIAL BUSINESS
 STATE OF TEXAS
 PENALTY FOR PRIVATE USE

ZIP 78701
 041M12252405

EXHIBIT
 C

2022-7342



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, must match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 05/02/2022

Shipped From:

Name: MC 110-1A M RUIZ

Address: 333 GUADALUPE ST

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

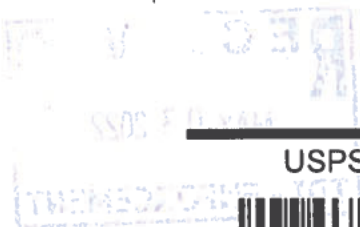
*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

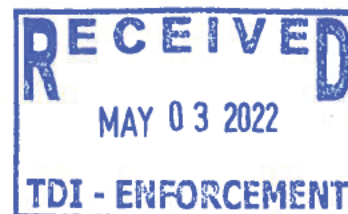
USPS EMPLOYEE: Please scan upon pickup or receipt of mail. Leave form with customer or in customer's mail receptacle.



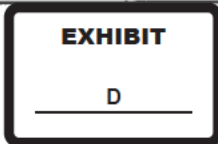
USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0036 4599 32



white/23044





2022-7342

Name and Address of Sender
 MC 110-1A M RUIZ
 TEXAS DEPARTMENT OF INSURANCE
 333 GUADALUPE ST
 AUSTIN TX 78701

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Affix Stamp Here
 (for additional copies of this receipt).
 Postmark with Date of Receipt.

USPS Tracking/Article Number	Addressee (Name, Street, City, State, & ZIP Code™)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee	
1. 9214 8901 9403 8374 9066 96 white/23044	PAMELA YVETTE GORDON [REDACTED] HOUSTON, TEXAS 77026	1.56	3.75	Handling Charge - if Registered and over \$50,000 in value							1.85				

REC
 MAY 03 2022
 TDI - ENFORCEMENT

Total Number of Pieces Listed by Sender: 1
 Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)